Serial No. 10/539,567 Amendment dated Jan. 12, 2009 Reply to final OA July 11, 2008

## REMARKS

By this Amendment the specification has been amended to further improve its presentation, claim 1 has been revised to better define the invention, and claims 2-6 have been amended to better depend from claim 1. Entry is requested.

In the outstanding final Office Action the examiner has rejected claims 1-6 under 35 U.S.C. 103(a) as being unpatentable over WO 00/55567.

The applicants again assert that this rejection is incorrect relative to the amended claims. In this regard, claim 1 has been amended to define the joining metallic intermediate layer as consisting of a metal selected from the group consisting of steel and a nickel alloy ... which excludes a metallic layer that contains a significant amount of added gas bubbles to provide the porous metal layer described in WO 00/55567.

Favorable reconsideration is now requested.

Respectfully submitted,

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